UNITED NATIONS

SECURITY COUNCIL
OFFICIAL RECORDS

THIRTY-EIGHTH YEAR

2449th MEETING: 31 MAY 1983

NEW YORK

CONTENTS

Page

Provisional agenda (S/Agenda/2449) 1

Adoption of the agenda 1

The situation in Namibia:

Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);

Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761) 1

NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council.* The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council.* The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2449th MEETING

Held in New York on Tuesday, 31 May 1983, at 10.30 a.m.

President: Mr. UMBA di LUTETE (Zaire).

Present: The representatives of the following States: China, France, Guyana, Jordan, Malta, Netherlands, Nicaragua, Pakistan, Poland, Togo, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire, Zimbabwe.

Provisional agenda (S/Agenda/2449)

1. Adoption of the agenda

2. The situation in Namibia:
   Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
   Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

The meeting was called to order at 11.45 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Namibia:
Letter dated 12 May 1983 from the Permanent Representative of Mauritius to the United Nations addressed to the President of the Security Council (S/15760);
Letter dated 13 May 1983 from the Permanent Representative of India to the United Nations addressed to the President of the Security Council (S/15761)

1. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the representative of Mauritius to take a place at the Council table.

At the invitation of the President, Mr. Maudave (Mauritius) took a place at the Council table.

2. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite the President of the United Nations Council for Namibia and the other members of the delegation of the Council to take places at the Security Council table.

At the invitation of the President, Mr. Lusaka (President of the United Nations Council for Namibia) and the other members of the delegation took places at the Council table.

3. The PRESIDENT (*interpretation from French*): In accordance with the decision taken at the 2439th meeting, I invite Mr. Sam Nujoma, President of the South West Africa People's Organization (SWAPO), to take a place at the Council table.

At the invitation of the President, Mr. Nujoma took a place at the Council table.

4. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at previous meetings on this item [*2439th to 2444th, and 2446th to 2448th meetings*], I invite the representatives of Afghanistan, Algeria, Angola, Argentina, Australia, Bangladesh, Barbados, Benin, Botswana, Bulgaria, Canada, Chile, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Egypt, Ethiopia, Gabon, the Gambia, the German Democratic Republic, the Federal Republic of Germany, Grenada, Guinea, Hungary, India, Indonesia, Jamaica, Japan, Kenya, Kuwait, Liberia, the Libyan Arab Jamahiriya, Malaysia, Mali, Mexico, Mongolia, Morocco, Mozambique, the Niger, Nigeria, Panama, Qatar, Romania, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, Sri Lanka, the Syrian Arab Republic, Tunisia, Turkey, Uganda, the United Republic of Tanzania, the Upper Volta, Venezuela, Viet Nam, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Zarif (Afghanistan), Mr. Hadj Azzout (Algeria), Mr. de Figueiredo (Angola), Mr. Muñiz (Argentina), Mr. Woolcott (Australia), Mr. Hashim (Bangladesh), Mr. Moseley (Barbados), Mr. Adjibade (Benin), Mr. Mogwe (Botswana), Mr. Tsvetkov (Bulgaria), Mr. Pelletier (Canada), Mr. Trucco (Chile), Mr. Malmierca (Cuba), Mr. Moushoutas (Cyprus), Mr. Suja (Czechoslovakia), Mr. Al-Ashtal (Democratic Yemen), Mr. Khalil (Egypt), Mr. Ibrahim (Ethiopia), Mr. Davin (Gabon), Mr. Blain (Gambia), Mr. Ott (German Democratic Republic), Mr. van Well (Federal Republic of Germany), Mr. Taylor (Grenada), Mr. Kaba (Guinea), Mr. Rácz (Hungary), Mr. Rao (India), Mr. Kusumaatmadja (Indonesia), Mr. Shearer (Jamaica), Mr. Kuroda (Japan), Mr. Wabuge (Kenya), Mr. Abulhassan (Kuwait), Mrs. Jones (Liberia), Mr. Burwin (Libyan Arab Jamahiriya), Mr. Tan Sri Zainal Abidin (Malaysia), Mr. Traore (Mali), Mr. Marin Bosch (Mexico), Mr. Erdenechuluun (Mongolia), Mr. Mrani Zentar (Morocco), Mr. Chissano (Mozam-

bique), Mr. Oumarou (Niger), Mr. Bolokor (Nigeria), Mr. Cabrera (Panama), Mr. Jamal (Qatar), Mr. Marinescu (Romania), Mr. Niasse (Senegal), Ms. Gonthier (Seychelles), Mr. Stevens (Sierra Leone), Mr. Adan (Somalia), Mr. von Schirnding (South Africa), Mr. Fonseka (Sri Lanka), Mr. El-Fattal (Syrian Arab Republic), Mr. Slim (Tunisia), Mr. Kirca (Turkey), Mr. Owiny (Uganda), Mr. Salim (United Republic of Tanzania), Mr. Bassole (Upper Volta), Mr. Martini Urdaneta (Venezuela), Mr. Le Kim Chung (Viet Nam), Mr. Mojsov (Yugoslavia) and Mr. Goma (Zambia) took the places reserved for them at the side of the Council chamber.

5. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received letters from the representatives of Ghana and the Islamic Republic of Iran in which they request to be invited to take part in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite them to take part in the discussion without the right to vote, under the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Gbeho (Ghana) and Mr. Serajzadeh (Islamic Republic of Iran) took places at the side of the Council chamber.

6. The PRESIDENT (*interpretation from French*): The first speaker is the representative of Australia. I invite him to take a place at the Council table and to make a statement.

7. Mr. WOOLCOTT (Australia): Mr. President, first let me say that the Australian delegation is pleased to see you presiding over the Council during this important series of meetings. Let me also, through you, thank the members of the Council for agreeing to Australia's request to participate today.

8. Australia rarely seeks to intervene before the Council and has only done so today for a number of reasons. First, we recognize the particular importance of the subject under discussion and the unique responsibility of the United Nations for it. Secondly, as one of the few Western members of the United Nations Council for Namibia, we thought it appropriate to add our perspective. Thirdly, the newly elected Australian Government has recently completed a review of its policy on the question of Namibia and we wanted to take this opportunity to state that policy.

9. Australia's commitment to a free and independent Namibia is unquestioned and unequivocal. There can be no doubt that South Africa's occupation of the Territory is illegal and that this is a position held by the international community.

10. The question is not whether Namibia should be free and fully independent—on that there is international consensus—but rather when that should occur and under what conditions. We earnestly hope that this Council debate will assist the process of bringing Namibia to independence. As a number of speakers before me have said, this debate should be used as an opportunity for constructive progress and not for the venting of rhetoric which seems aimed at purposes other than the early independence of Namibia.

11. The Australian delegation has closely followed the debate and commends the spirit of conciliation and moderation that has been demonstrated by most of the parties directly involved. This is a hopeful development. There have, of course, been some extravangant statements but mostly from countries far removed from the scene. Regrettably, the statement by the representative of South Africa did not fit this pattern of conciliation and moderation.

12. Since the adoption of Council resolution 435 (1978), the path towards its implementation has been arduous. There have been substantial achievements but also substantial setbacks. Undeniably the negotiations have oscillated between troughs and peaks. I refer to the pessimism after the 1981 Geneva pre-implementation meeting was torpedoed by South Africa and the optimism last September when the contact group advised the Secretary-General of the agreement on a set of constitutional principles. But by any standard the path has been too long and too slow—unnecessarily so, in Australia's view. My delegation, therefore, expresses its emphatic conviction that resolution 435 (1978) should now be implemented as soon as possible to allow the people of Namibia to determine their own future and set about the task of reconciliation and nation building.

13. Australia's policy on this question is predicated on support for Council resolutions 431 (1978), 432 (1978) and, as I have already mentioned, 435 (1978). In resolution 431 (1978) there was a call for the early independence of Namibia through free elections under the supervision and control of the United Nations. In resolution 432 (1978), Walvis Bay was recognized as an integral part of an independent Namibia, while resolution 435 (1978) provided a means of fulfilling the pledge contained in resolution 431 (1978).

14. Much attention has been paid during these meetings to the reasons why resolution 435 (1978) has not yet been implemented. The Australian Government very much regrets the delay that the question of so-called linkage is creating. We should be concerned if the linkage of negotiations on Namibian independence to other issues were to cause a stalemate in the pursuit of independence for Namibia, at a time when all the other signs for early independence looked propitious.

15. I should add, however, that Australia does not think that criticisms directed at specific Western States contribute to an improved climate for negotiations. Insead, we would urge those responsible for the negotiations to focus again on resolution 435 (1978), which contains the essential elements of a settlement, in order to promote afresh, and as a matter of priority, the independence of Namibia.

16. Australia acknowledges the efforts to date of the five Western members of the contact group. The inability of the group so far to complete its allotted task is a cause of frustration to the Australian Government, as indeed it is to the parties most diectly involved. Australia is convinced, however, that the contact group still offers the best chance for bringing about an internationally acceptable solution to the question of Namibia and looks forward to the resumption of progress in the group's efforts.

17. Many speakers have made reference during this debate to the escalating cycle of violence in southern Africa. This violence is to be deeply deplored, as are the continuing efforts of South Africa to destabilize its neighbours. Australia cannot condone the indiscriminate use of violence and, as the Australian Prime Minister, Mr. Robert Hawke, said in the Australian Parliament as recently as 24 May: "The Australian Government unequivocally condemns the latest use by South Africa of its air force to attack a sovereign neighbouring country."

18. Australia cannot support the endorsement of armed struggle as a means of achieving independence for Namibia, as this would be inconsistent with the Charter of the United Nations. We are committed as a matter of principle to a peaceful, negotiated settlement of the question of Namibia.

19. At the same time, however, the Australian Government understands the frustrations that have led many countries and people to take the view that, if peaceful methods do not produce the necessary results, force may inevitably occur, as a last resort, to end institutionalized discrimination in southern Africa. South Africa must quickly agree to remove its armed forces not only from the Territory of Namibia but also from the sovereign State of Angola. It is essential that all States in the region can be confident about their security without the threat of South African incursions.

20. As a member of the United Nations Council for Namibia, Australia recognizes the Council as the sole legal Administering Authority of the Territory until independence. We shall continue to work actively and constructively within the Council. We believe that the Council could be a force for good in the complex and delicate negotiating process and we shall continue to oppose efforts by some Council members to push it into an obstructionist position.

21. The Australian delegation would like to pay a tribute to the Secretary-General. His assiduous efforts on this difficult issue demonstrate his clear commitment to the cause of an independent Namibia. We especially appreciate the forthright nature of his report [*S/15776*]. We should also pay a tribute to his Special Representative for Namibia, Mr. Ahtisaari, and express the hope that he will be available to continue his valuable work. My Government rejects any imputation against the impartiality of the Secretary-General and his staff and takes this opportunity to express again our full support for his involvement.

22. The importance of this debate is amply demonstrated by the presence during its course of so many ministers for foreign affairs. South Africa should be left in no doubt that it is isolated in its apparent determination to stall the negotiations on independence for Namibia.

23. I have already noted that southern Africa has become an area of heightened tensions and military activity. We believe that the independence of Namibia should be the next step in the complex process of bringing stability to the southern African region because of the immediate impact it would have on the climate of confidence in the area. We should not lose sight of the fact that the primary objective is the independence of Namibia.

24. It is the sincere wish of the Australian Government that the parties directly concerned in the negotiations should take the lead from these expressions of international solidarity and seize the opportunities at hand for the early implementation of resolution 435 (1978) and bring to Namibia and its people the independence which for far too long has been denied them.

25. Mr. SCHELTEMA (Netherlands): Since this is the last day of your presidency, Sir, it is perhaps a little late to congratulate you on your assumption of that office, but I should like to take this opportunity to congratulate you on the very skilful and very diplomatic way you have so far handled the business of the Council. I have full confidence that you will handle it on your last day in the same way. I should like to add that it was a great pleasure to me to see, during parts of the debate we had last week on this question, a former colleague of ours, now your Minister for Foreign Affairs, Sir, presiding over the meetings of the Council.

26. Finally, I take this opportunity to congratulate your predecessor, Mrs. Kirkpatrick, on the very able and dignified way in which she conducted the business of this Council.

27. The present meetings of the Government unmistakably reflect the feelings of impatience and disappointment felt by the international community over South Africa's continued illegal occupation of Namibia. They also signal widespread uneasiness at the slow pace of the negotiations conducted with the aim of securing internationally recognized independence for the Namibian people. Ever since 1968 the Council has decided to remain seized of this question, which is a particular responsibility and concern of the United Nations. Seventeen years after South Africa's Mandate over the Territory was terminated by the General Assembly [*resolution 2145 (XXI) of 27 October 1966*], Council resolutions 385 (1976) and 435 (1978) are still awaiting implementation. South Africa so far has failed to comply with those resolutions.

28. The international community is confronted with South Africa's intransigence and that country's practice of constantly raising the price for co-operation in the implementation of the United Nations plan for a settle-

ment. More than once has the South African Government resorted to delaying tactics, raising new problems that have needed to be addressed. My Government seriously questions the willingness of South Africa to vacate the Territory and grant independence to the Namibian people. This will be denied, of course, by the South African side, and they will point to their acceptance of resolution 435 (1978). Whose responsibility is it then, that, five years after the independence plan was adopted, the Namibian people still remain deprived of their legitimate rights? My Government cannot but draw the conclusion that South Africa has not yet decided if it will live up to its declared intentions.

29. The Netherlands, not being directly involved in the negotiations that resulted from the adoption of resolution 435 (1978), welcomed the settlement plan and has consistently encouraged all parties concerned to persevere in their efforts and to show all possible flexibility and goodwill in order to facilitate its peaceful implementation. For its part, my Government has offered to contribute a detachment of civilian police to the United Nations Transition Assistance Group (UNTAG) which will assist the Secretary-General's Special Representative for Namibia in supervising Namibia's orderly transition to internationally recognized independence.

30. Before I continue, I should like to pay a warm tribute to the Secretary-General for his objective, balanced and lucid further report concerning the implementation of Security Council resolution 435 (1978) and 439 (1978) concerning the question of Namibia [*S/15776*]. We fully concur in his analysis and we wish to reiterate our deep appreciation for his indefatigable efforts to discharge what he rightly describes in his report as his special responsibility for the problem of Namibia in view of the unique relationship between the United Nations and the people of Namibia. As the Secretary-General's report indicates, five years of protracted negotiations since the adoption of resolution 435 (1978) have so far not yielded conclusive results. Yet the report also sets out in convincing detail the substantial progress that has been achieved thanks to the efforts of the Secretary-General and his Special Representative, the front-line States, Nigeria, SWAPO, the Organization of African Unity (OAU) and, last but not least, the contact group of five Western States, which are the authors of the settlement plan. My Government intends to continue to support these efforts towards the implementation of resolution 435 (1978) because they remain the only viable way to enable the Namibian people freely to exercise their right to self-determination at the earliest possible date.

31. In the summer of 1982, consultations between the parties reached a new level of intensity and expectations rose that an agreement was finally within reach. The Ministers for Foreign Affairs of the five members of the Western contact group stated in a communiqué issued in New York [*S/15287*] that there was agreement on the constitutional principles for the Namibian Constituent Assembly and on a method for electing the assembly, and that substantial progress had been made on the question of impartiality in the supervision of the electoral process as well as on the size, composition and deployment of UNTAG.

32. All outstanding problems thus seemed to have been resolved. But then it transpired that a major difficulty had arisen in the negotiations: the linkage of South Africa's withdrawal from Namibia to the withdrawal of Cuban forces from Angola.

33. My Government regrets that this issue has caused delay in the implementation of resolution 435 (1978). The presence of foreign forces at the invitation of a sovereign neighbouring country of Namibia falls outside the scope of the proposals for a settlement that were accepted by all sides and should therefore not stand in the way of the early exercise by the Namibian people of their internationally recognized and inalienable right to self-determination and independence. We should therefore have preferred that the present more complex situation had not presented itself. In the present circumstances, however, we can subscribe to the view that the parties are justified in trying to reach an understanding on issues that are relevant to the situation which will prevail after Namibia's independence. For it has been recognized that there should be no need for the presence of foreign forces in Angola once the threat of South African military action against that State has been eliminated. But we should not insist on solving all the problems of the region at once. In this regard, we can subscribe to the view of the Secretary-General as expressed in his report to the Council: the independence of Namibia is "the essential and primary issue, which we must now face up to without further delay" [*S15776, para. 20*].

34. Namibia, being a Territory with an international status, can only proceed to independence through an internationally acceptable process of self-determination, as provided for in the independence plan. For that reason the Netherlands considered the unilateral elections which South Africa organized in Namibia in 1978 as null and void. We shall continue to reject any further measures which the South African administration of the Territory might take with the aim of arriving at an internal settlement of the Namibian problem. The Netherlands also condemns the repeated acts of aggression by South Africa against neighbouring States.

35. Five years of protracted negotiations since the adoption of resolution 435 (1978) have as yet failed to yield conclusive results. The patience of the international community has been stretched almost to its limits. If the Council in its wisdom now wishes again to grant a new lease of life to the negotiations and abstains from invoking its powers under the Charter of the United Nations, this should not be misunderstood by South Africa as a sign of weak-mindedness. Instead, it should be regarded as an urgent appeal to all concerned to redouble their efforts and to remove, in the coming months, the last obstacles on the way towards the implementation of the settlement plan. We, for our part, urge the contact group of five to remain conscious of the responsibility they have accepted towards the Namibian people and the world community. In the time ahead they should be able to

assess South Africa's readiness to co-operate seriously at last in the implementation of resolution 435 (1978), after which the Council should convene once again to determine if the enabling resolution for the independence plan can be adopted or, alternatively, to consider how further to press South Africa for compliance with previous decisions of the Council.

36. Surely none of those involved in the negotiations can hope to profit from a renunciation of the commitment to enable the people of Namibia freely to exercise their right to self-determination at the earliest possible date. We hope, therefore, that the present debate, which has so clearly demonstrated the general feeling of uneasiness and impatience at the lack of decisive progress, will induce in all parties concerned a fresh sense of urgency and provide them with new resolve to overcome the final hurdles. Time is running out. If this debate succeeds in conveying this message, only then will it have answered its purpose.

37. Mr. GAUCI (Malta): Mr. President, your nation has done us a signal honour this month in sharing the presidency of the Council between two of its most eminent citizens. As your presidency and the current debate on Namibia draw to a close, I trust our exercise will not be another "betrayed mission" this time, but rather a prelude to the birth of a new and independent African nation, Namibia.

38. Together with a number of other African statesmen, your Minister for Foreign Affairs has explained, with matchless eloquence and deep conviction, the historical background to the justified impatience over the faltering progress in the quest for Namibian independence. The prolonged suffering and the frustrations of the Namibian people over the delay in the attainment of their cherished goal have been stated forcefully and forthrightly by the President of SWAPO, whose presence we welcome here.

39. The presence of so many ministers for foreign affairs amongst us is a testimony to their steadfast faith in the Organization, as well as of their united determination to pursue their goal by peaceful means. Together they have provided a comprehensive catalogue of the innumerable difficulties posed by South Africa; many have been patiently considered and taken favourably into account by SWAPO and the front-line States; there are others, deliberately introduced, which simply cannot be condoned as they run counter to the peaceful progress that should have been achieved years ago.

40. I do not wish to cover the same ground, except to say in all sincerity that we fully understand and sympathize with their frustrations and we particularly regret the suffering of the Namibian people in their quest for social emancipation and political liberty.

41. In any case, Malta's position has been stated in the past; we have made our maximum potential contribution to the promotion of Namibian independence. I need only recall, perhaps, that not a pennyworth of trade, not a gram of gunpowder, not one crumb of comfort, not one iota of recognition has been given to South Africa by the Maltese nation ever since South Africa instituted its racist policies at home and its illegal presence in Namibia. What we have given is high-level university and technical-college education to several Namibian students.

42. It is commonly acknowledged that the Namibian road to independence has been immorally long and unjust and the end, which seemed within reach a few years ago, has recently and unfortunately been made to recede. The last lap was supposed to have been relatively smooth; instead, new and formidable obstacles were placed in the way, some foreseen and foretold, but others quite unexpected and extraneous and deliberately interposed.

43. The momentum for progress has slowed down. Mercifully, however, it has not completely died out; even in the most negative of the statements made here last week a slight ray of hope still emerged. We must now analyse carefully what precise and effective steps we can take so that by concerted international action and by peaceful means we can again rekindle the fire of hope, dampen the discord of suspicion and sustain the people of Namibia in what is perhaps their darkest hour—we hope, however, the darkest hour before the dawn.

44. To help us in our task we have the valuable report of the Secretary-General which, as we have come to expect, not only sets an objective tone over developments since 1981 but also, most properly, touches the real heart of the matter. He urges that

> "the Namibian problem be regarded as a primary question in its own right,"—and I emphasize that phrase—"the solution of which will in itself ease other tensions in the region and be in the long-term interest of all concerned." [*ibid.*]

45. This fundamental principle has been overlooked so often in the past that it is necessary for it to be stressed loud and clear today. It is the one and only key to a lasting solution. It is a clarion call to which we are bound to respond. That is the principal perspective which we, for our part, fully endorse. It sets the right tone for our debate and of course for its outcome. I would therefore hope it will be possible for all of us—and particularly the countries most directly involved—to keep the primacy of this objective with inflexible persistence and with uncompromising dedication, especially in consideration of the clear legal responsibility that the United Nations has towards the people of Namibia. Collective and bilateral efforts are now even more resolutely called for; they need to be intensified and some countries in this respect remain with much more to contribute towards compliance than most of us. Their influence, however, should be exercised exclusively to promote the right of the Namibian people to independence.

46. I feel that this is not a time to recriminate and even less to falter. We must stick firmly to the guidelines spelt out in resolution 435 (1978) but concentrate at this stage

on the most effective modalities with which to achieve those guidelines in practical terms.

47. On this aspect also the Secretary-General's report informs us that progress has also been made—in fact, a large measures of agreement has been reached. The sooner free and United Nations-supervised elections are held, the more emphatic and incontestable will be the verdict of the people concerned as to their future. Agreement on the modalities should therefore be our immediate priority. We should not allow ourselves to be distracted from this direct approach.

48. It is also gratifying to note in the same report that all the parties to the negotiations remain committed to the principles contained in resolution 435 (1978). Just as that resolution was impressively supported, so must the backing for its implementation be generous, consistent and specific. South Africa's response must be clear and unequivocal.

49. It is therefore hoped that, on this occasion, the replies to be expected from the South African Government will soon be forthcoming and that no further pretexts will be provided to camouflage delay, so that it will soon be possible to take practical steps for the commencement of the implementation of that unanimously adopted Council resolution.

50. It is equally highly appropriate that we should all accord priority to helping the Secretary-General in the organization of the required consultations and team effort. A first, essential objective is for the Council to raise its authoritative voice to secure the appropriate climate for the proposed cease-fire in Namibia. Preparations for the sending of UNTAG to the spot should be finalized as a necessary corollary; agreement on details would stimulate the positive momentum that is needed in order to maintain the promise and the progress on which the international community has set its sights and which the people of Namibia have awaited for far too long.

51. My delegation therefore urges the Government of South Africa on this occasion not to crack its racist whip once more or to flex its military muscle, but rather to heed the humanist call of the international community by being forthcoming and extending all necessary co-operation. It is, after all, in South Africa's own long-term interests to have a neighbouring people and country well disposed towards it, despite its tragic arrogance and the economic exploitation it has inflicted on Namibia in the past.

52. In its search for gradual entente with its other neighbours, South Africa needs to mend the damage done by its past prevarication and to start writing a new chapter in the human and political history of southern Africa and inside South Africa itself. By its actions now, the Council can set the tone, the scenario and the arrangements for this process finally to commence. Its authority should encourage, ensure and supervise an overdue start. A unanimously adopted resolution would signal the determination of the Council to carry out its solemn commitment.

53. As all members are aware, the draft resolution before the Council [*S/15803*] is the outcome of collective effort and prolonged negotiation. Even at its lowest common denominator, it clearly reaffirms the legal responsibility of the United Nations for Namibian independence; it denotes an expression of great concern over the lack of progress and it identifies the source of the obstacles to progress; it introduces a new sense of urgency and a determination to concentrate efforts on the fundamental objective—self-determination for the Namibian people; it calls for the mobilization of the best resources available to the Organization in the peaceful pursuit of its objective; and it finally introduces a time element as well as conveying a clear indication that, in the event of failure to record progress, further action within the prerogative of the Council would be called for.

54. These elements in turn reflect the dominant themes that emerged from this high-level debate, together with the widespread hope that our worst fears would not come to pass, but rather that the best aspirations of the international community for the achievement of self-determination by the Namibian people would soon be realized.

55. There is a common feeling that a unanimously adopted Council resolution would create a positive political impact and would provide a psychological boost for steady progress in the near future. The invaluable resources of a collective and concentrated international effort, backed by the dedicated efforts of the Secretary-General and his team, constitute an irresistible tide for final victory. South Africa should join, rather than impede, this final sprint.

56. To the Namibian people goes Malta's assurance of continued support in their search for independence, freedom and progress in peace. We long for the day when we can greet them as brothers in this family of nations. It is the sacred trust of each one of us represented here.

57. Mr. NATORF (Poland): The question of Namibia has been turned into a perennial international problem of multifarious and dangerous dimension. South Africa's occupation of Namibia and its persistent acts of aggression against neighbouring States pose a serious threat to international peace and security and violate the Charter of the United Nations and the relevant resolutions and decisions of the United Nations. Taking this dangerous situation into account, the International Conference in Support of the Struggle of the Namibian People for Independence, held recently in Paris,[1] was strongly of the view that the United Nations and the international community must act urgently and energetically in support of the legitimate struggle of the Namibian people for self-determination, freedom and national independence.

58. The Conference also called for these very meetings of the Council to continue further action on the implementation of its relevant resolutions. The importance attached to these meetings of our body is emphasized by the participation of Ministers for Foreign Affairs of non-aligned countries, particularly the African States. Their

presence here is evidence of unswerving support for the cause of Namibia's independence.

59. We were happy to see again, in the seat of the President, the Minister for Foreign Affairs of Zaire, Mr. Kamanda wa Kamanda, who in the most able manner conducted the proceedings of the Council when it was considering the present item on our agenda.

60. Today, in a disquieting and complex international situation, it becomes more important than ever that all United Nations resolutions concerning the question under consideration be fully implemented. It is high time that this body condemn and stop discernible manoeuvres on the part of the racist régime of South Africa.

61. We all heard South Africa's statement in this debate. One should not be misguided by the cultivated language and soft manner in which it was delivered. It was full of false and unfounded allegations, threats and pretensions. We know the facts very well. We know well these efforts to sail under false colours. Supported by its allies, South Africa has been raising one obstacle after another on the path to Namibia's independence. At the same time, the mandatory arms embargo against South Africa imposed by the Council [*resolution 418 (1977)*] has been violated by the same Powers.

62. It is quite clear now that the continuation of these policies would not have been possible without the co-operation that exists between major countries of the North Atlantic Treaty Organization, particularly between the United States and Pretoria.

63. It is worth recalling that, while the General Assembly has consistently advocated comprehensive and mandatory sanctions against Pretoria as one of the means of resolving the situation, some Western countries have prevented that action. For that reason, we have always considered that the Council should urgently take effective measures to terminate all collaboration with the Pretoria régime in the political, diplomatic, economic and military fields.

64. The long-standing position of principle of Poland with regard to the racist South African régime and its criminal policies of *apartheid* has been clearly defined both in the United Nations and elsewhere.

65. My Government observes with deep concern the deteriorating and explosive situation in and around Namibia. We consider that South Africa's military build-up and its brutal acts of armed aggression against Angola and other neighbouring countries constitute a grave danger to peace and stability in this region of the world.

66. Namibia is the direct responsibility of the United Nations until genuine independence is achieved by its people. Council resolution 385 (1976), together with resolution 435 (1978) and other United Nations resolutions pertaining to Namibia, are the only basis for a peaceful settlement of the Namibian question. If there ever was a delusive hope that the activities conducted by the so-called contact group would lead to a solution concerning the liberation of Namibia, now, after so many years have elapsed, that illusion no longer exists.

67. We have many times in the past pointed out that the thesis that the events and the tension in southern Africa are a result of Cuban or other influences is false. Disseminated in certain circles in the United States, this thesis is not only false but also dangerous.

68. The policy of linkage and diversionary tactics stemming from this thesis should be flatly rejected. This debate has emphasized that very forcefully.

69. Poland fully supports the decisions of the OAU and non-aligned countries concerning the question of Namibia. My country reaffirms its unconditional support for the struggle of the Namibian people for independence, under the leadership of SWAPO, their sole and authentic representative. On this occasion, my delegation would like to extend special greetings and assurances of full solidarity to the delegation of SWAPO, headed by its President, Mr. Sam Nujoma.

70. My delegation read with interest the further report of the Secretary-General concerning the implementation of Security Council resolutions 435 (1978) and 439 (1978) concerning the question of Namibia [*S/15776*]. We highly appreciate its clarity. Yet, what is most important for us is the fact that its concluding observations correspond fully with the spirit and conclusions of our present debate.

71. This spirit is reflected in the draft resolution on which the Council is about to vote [*S/15803*]. It is important that this draft resolution condemns in a clear-cut way South Africa's illegal occupation of Namibia and calls for compliance with and implementation of resolution 435 (1978). In our view, a very important provision of the draft resolution is the request addressed to the Secretary-General to report to the Council on progress within a period of three months.

72. Setting a deadline shows the determination of the Council to remain actively seized of the matter. It should also serve as a warning to those that one day will support the draft resolution and the next proceed with further confirmation of policies that are contrary to what they voted for. They should know that the matter will not be postponed *ad kalendas Graecas* and that the political and moral assessment of their two-faced standard of behaviour will be made in this chamber.

73. We hope that progress will be achieved in the forthcoming months. However, if obstacles persist, we believe that the Council should be ready to consider and adopt all necessary measures in order to ensure implementation of its resolutions.

74. In conclusion, may I state once again that the Polish delegation will continue to make the maximum contribution to the solution of the problem under

consideration. We hope that the Council will discharge its obligations in order to help the Namibian people to exercise fully and immediately its inalienable rights.

75. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Barbados. I invite him to take a place at the Council table and to make his statement.

76. Mr. MOSELEY (Barbados): Before launching on the sombre task of making a contribution to the debate on the question of Namibia, my delegation begs your leave, Sir, to engage in the far happier undertaking of offering, on behalf of our country, sincere congratulations to you not only on your assumption of the presidency of this body but also on the impeccable dignity and efficiency with which you have conducted its affairs, especially the current debate on a matter so fraught with difficulties. My country, for reasons that are not difficult to understand, takes a vicarious pride in the fact that a native son of Africa has demonstrated such a high degree of diplomatic skill and judicial poise as you have throughout this debate on a topic which must of necessity impinge sharply on the sensibilities of your illustrious country and on your own sensibilities.

77. My delegation also thanks the other members of the Council for having acceded to our request to be heard.

78. My delegation ventures to say that, of all the matters which may properly be brought before the Council for consideration, none is more likely to stir the dark emotions of rage, frustration, bitterness and hatred than the question of Namibia and its twin sister, the question of *apartheid*. Indeed, the world will not soon forget that the factors underlying these two questions are the self-same factors—ideas of racial superiority, injustice and greed—that fuelled one of the bloodiest holocausts and wars in the recorded history of this earth. On the other hand, the world will long remember that, as the sun emerging from behind a dard cloud promises a brighter day, so this great organization, the United Nations, with its Charter, and the Security Council hold out a beacon of hope for all mankind.

79. It is in this context that my country views with horror but firm resolve the harsh throwing-down of the gauntlet and the arrogant defiance expressed and implied by the representative of South Africa in the statement he made recently before the Council. In fairness, however, it must be said that that same statement contained some elements that on the surface appear reasonable and some that, by a tremendous stretch of the imagination, might even be read as vaguely conciliatory. By way of example, I cite the following:

> "Where we can, we shall continue to help our neighbours who commit themselves to peaceful coexistence and constructive co-operation. Inside our country we shall continue to maintain order and stability and we shall carry on with the process of controlled reform. We believe that there are more than enough moderate people and people of goodwill within our country, within South West Africa and within our region to assure us all of peace and prosperity." [*2440th meeting, para. 102.*]

80. At this point I am forced to say: "Aye, there's the rub." For, taking into consideration the basic philosophy of the policy of *apartheid*, who can trust the sense of justice of people who ruthlessly deprive the native inhabitants of a country of their land, institutionalize by their laws the dehumanization of those inhabitants and defy world opinion by so doing? At this point I am forced to say: "They make a wilderness and call it peace." And yet, the Government of South Africa must know that, however low an opinion it may have of the backbone of the truly native inhabitants, it cannot continue for ever to deny them the inalienable right of self-determination, which is a goal aspired to by all peoples throughout history, and it is to be expected that the fight to the death for freedom and justice and against tyranny will not be abandoned.

81. One more word, let me add, in this context. The world must understand that, if the test and touchstone in South Africa were one of ideology, the possibility might exist that a change of one's ideology might give birth to an accommodation wherein peace might have a chance to grow. Where the test and criterion are race and colour of skin, there is no way yet discovered whereby such an accommodation may be achieved by a change of race. That is at the heart of the dilemma which continues to face the protagonists of *apartheid*.

82. Earlier in my statement I expressed the view that the subject under debate is powerfully evocative of emotional reaction. The time has come now to deal as objectively as possible with the basics of the problem—and this if for no other reason than to establish beyond doubt that my country's policy is not to be shrugged off as a mere recital of sentimental petulance. Indeed there is no subject in the realm of international affairs about which my country is more united, more resolute or more concerned than that of the welfare of Africa in general and southern Africa in particular.

83. In blunt terms, my delegation can state my country's position on the question of Namibia by saying that the Government of Barbados continues to offer unqualified support to the struggle of the Namibian people to achieve complete self-determination, freedom and national independence. Barbados supports the recognition of SWAPO as the sole authentic representative of the Namibian people until such time as fair and free elections under the supervision and control of the United Nations produce an elected Government.

84. Barbados remains unwavering in its contention that Walvis Bay is an integral part of Namibia and that the territorial integrity of Namibia should not be compromised in any way, particularly with respect to Walvis Bay.

85. Barbados fully supports Council resolution 431 (1978), 432 (1978) and 435 (1978) and, incidentally, has

decided in principle to provide police monitors as part of UNTAG if and when required to do so.

86. My country, faithful to its obligations under the Charter of the United Nations greatly deplores violence and rejects the use of force as a morally or legally acceptable means of achieving the just solution of problems. My country is not unaware of the difficulties, especially those associated with the economics of the problem, which have rendered a peaceful solution so far depressingly elusive. Barbados notes the efforts of the contact group. In this connection, however, Barbados is very strongly supportive of the reservations, doubts and anxieties expressed by SWAPO and will continue most earnestly to hope that the countries involved will never lose sight of the lessons of history, which teach that the sacrifices of moral principles upon the altar of expediency and appeasement paves a certain road to the most dire of consequences.

87. Neither extraneous considerations nor the so-called strategic or other interests of other States should be allowed to delay further the independence of Namibia. Linkage of the withdrawal of Cuban troops from Angola with the termination of the illegal occupation of Namibia by South Africa is such an extraneous consideration. Is there any brand of justice which can deny sovereign Angola the right to choose its own friends, or is justice really the interest of the stronger?

88. Barbados recognizes with gratitude and sincere appreciation the efforts made by the Secretary-General in striving for a just solution of the Namibian problem, urges the continuation and strengthening of those efforts and compliments him on his report [*S/15776*].

89. Barbados endorses the Paris Declaration on Namibia and the Programme of Action on Namibia, adopted at the International Conference in April,[2] and in consequence supports the call for, first, the immediate implementation of the United Nations plan approved in resolution 435 (1978); secondly, appropriate action by the Council to ensure compliance with its resolutions—this involves the appropriate answer to the arrogant defiance and threat expressed and implied by South Africa's stated refusal to accept a deadline for the independence of Namibia; and, thirdly, an end to the destabilization of the front-line States.

90. Barbados reiterates that Namibia is the direct responsibility of the United Nations and that the self-determination and independence of that country are in the care of the Organization. The question of Namibia is essentially one of decolonization.

91. In closing, I would say that my country, while not seeking or wishing for the parties concerned a mindless confrontation, is unequivocally committed to the view that the Council, while striving to maintain peace and security in southern Africa, cannot risk compromising its very reason for existence by yielding to the claims of those States that would place their own selfish or ideological interests above the clear demands of natural justice.

92. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Niger. I invite him to take a place at the Council table and to make his statement.

93. Mr. OUMAROU (Niger) (*interpretation from French*): Since it is impossible to have too much of a good thing, I should like to add my very sincere compliments to the many well-deserved compliments that have been lavished upon you, Mr. President. Having seen you at work throughout this busy month of May, I share today the general feeling that, in this debate devoted primarily to Africa, you, through your presidency of the Council, are doing great honour to our continent. We are therefore grateful to your great country, Zaire, with which the Niger maintains the warmest relations, for having accredited you to this prestigious body at such a crucial time, when we truly need a man with an open mind and the experience to succeed our great friend, now promoted to the office of Minister for Foreign Affairs, Mr. Kamanda wa Kamanda, with whose enthusiasm and clear-sighted militancy we are all familiar and with whom I am happy to have had in the Organization a friendly relationship both strong and enriching. I hope that the conclusion that the Council will soon be reaching will reflect your personal sense of balance and your praiseworthy efforts.

94. We also followed the presidency of Mrs. Jeane Kirkpatrick, the representative of the United States and I offer her the sincerest congratulations of my delegation on the outstanding way she carried out her delicate tasks.

95. The Minister for Foreign Affairs of the Niger—who could not be present—asked me expressly to take part in this debate to say that the Niger deems it a great honour to have been designated at New Delhi by the Seventh Conference of Heads of State or Government of Non-Aligned Countries [*see S/15675 and Corr. 1 and 2, annex, sect. I, para. 49*] to come here to support in this chamber the just cause of Namibia and the inalienable right of the valiant Namibian people to sovereignty and independence. I am particularly anxious to do that because this is a cause that rallies the whole of the international community and which the Niger is always ready to support.

96. The multitude of eminent ministers for foreign affairs distinguished statesmen and diplomats from the four corners of the earth, who are now following the debate, or who have spoken to proclaim, loud and clear, their common impatience and common disenchantment at the deadlock, either deliberate or nurtured, which characterizes the process of decolonization of the Namibian nation, must be for our brother Sam Nujoma, present here, a moving endorsement of the justness of his struggle. I am particularly happy to make this further statement in his presence, which supplements our previous pronouncements on this matter, when the Niger repeatedly condemned here, in the General Assembly and in other relevant forums, every obstacle, every subterfuge and every additional inadmissible delay in the

implementation of resolution 435 (1978). Thus, the linkage recently trumped up by South Africa, between the settlement of the Namibian problem and the presence of Cuban troops in Angola, was denounced in the strongest terms by my Government.

97. You will understand, therefore, Sir, that at the outset I wish to reiterate the growing concern of my country and Government, not only at what must be called the lost opportunities on the road to independence of Namibia, but particularly the anguish that now besets Africa and the world, in view of the absence of any serious date for this inevitable event.

98. Certainly, no decolonization is easy; in the course of implementation, no decolonization has been, at one time or another, without hesitations or changes of position, characterized by what is, after all, anachronism and folly. But the history of decolonization in Namibia will be a different story.

99. This is a country which, cheated of its independence in 1920 and then in 1945, welcomed with new hope resolution 1514 (XV), which the General Assembly adopted in 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples. But it was soon to experience, in the place of what rightfully belonged to it and as a result of its liberation struggle, more frustration, when in 1966 South Africa, recognized as having failed as the administering Power, rebelled against the Organization, rejecting General Assembly resolution 2145 (XXI) of 27 October 1966, which terminated the Mandate which up to that time it had exercised over that Territory by the very will of the Organization.

100. Then came the illegal occupation, the oppressive, plundering and racist occupation, which the international community denounced right from the outset and has constantly, and again today, denounced with ever-greater force and determination. Finally, in 1978, thanks to the concerted impact of diplomatic pressure and the armed struggle organized and stepped up by SWAPO, the sole authentic representative of the Namibian people, there came another glimmer of hope. It came in this very chamber in the form of resolution 435 (1978), which acted like a balm to soothe the battered Namibian people, and they solemnly glimpsed the prospect of regaining their freedom, which was so dearly bought, within a year, one year too many.

101. Since then, five years have gone by. Not only is Namibia not yet independent, but the Organization has been flouted because, not content with taking advantage of and enjoying with impunity the fruits of its rebellion, rebel South Africa has the strength and the effrontery to attack the United Nations and even to come and take a seat at this table, in this international forum—the most prestigious and the most representative in the world—to defy all tthe nations of the world.

102. This means that those who are aggravated by this slow progress are not always wrong: in other words, all of us present here in this chamber, representing the international community, who urge the contact group to renounce its complacency, to step up its pressure on South Africa, and to compel that embarrassing partner to respect the commitments it has entered into. What we are asking this group to do, over and above the undeniable results—which the Secretary-General, with objectivity and clarity, described in his outstanding report [*S/15776*]—is clearly not to take the place of South Africa in order finally to bring about the liberation of Namibia; it is not to discuss once again with that country the terms of another settlement plan. The plan exists. We are requesting it to refuse, out of respect for its role and to protect the credibility of the Organization, to follow rebel South Africa in its recent or future attempts to ensure that the problem of Namibia is bogged down in considerations that are completely extraneous to resolution 435 (1978) and, furthermore, were neither raised nor envisaged during the negotiations on that resolution. For, after all, this resolution dates from 1978. The Cuban troops, which Pretoria is now setting up as a bugbear and a screen, have been stationed in Angola since 1975, at the request of and for the sovereign needs of that country, without their presence ever being mentioned as an obstacle to Namibian independence—in any event, until the pre-implementation meeting at Geneva in January 1981, where the racist authorities evaded their responsibilities so spectacularly. Let us therefore be wary of such procedures which, pushed to their limits, could lead our planet into the direst calamities.

103. My delegation believes, however, that we should not be too eager to reject the contact group outright because, since South Africa has already been outlawed by this international community, on more than one charge, and, as we know, holds the United Nations in low esteem, it might be harmful to give that international outlaw the feeling that, henceforth, would be living in a world without constraints, rules or laws, a world where it could consolidate its gains, ignore any condemnation and commit at will further crimes. An imperfect contact, but one that is more sensitive to pressure, is always better than no contact at all. The most embarrassing thing for a callous country like South Africa is still perhaps its friends. We hope that the contact group will assume the commitment, after today's meeting, to make clear to South Africa that henceforth it will no longer be protected from the sanctions of the international community unless, of course, it agrees to submit unconditionally and without delay.

104. I should now like to take this opportunity to reaffirm the full solidarity of the Niger with the front-line countries, which, daily and with courage and self-denial, face the disgraceful, repeated acts of aggression of South Africa, and which, through their sacrifices for the cause of militant Namibia, will rightly go down in the finest pages of the heroic history of the decolonization of that great country. It is incumbent on the Council to set the stamp of shame on the recent raid of which Mozambique was the victim, a raid that the international community denounced and that our Minister for Foreign Affairs solemnly condemned at the celebration of the twentieth anniversary of the OAU held on 25 May last.

105. Finally, Mr. President, my delegation is loath to allow you, Sir, to close this decisive, important debate without mentioning the fact that, at its meeting last August, in our capital, Niamey, the Thirteenth Islamic Conference of Foreign Ministers, of which the Niger is the current Chairman, discussed the Namibian question at length and reflected the concern of the member States of the Organization of the Islamic Conference in a unanimous resolution [*see S/15466, annex I, resolution 12/13-P*], the basic provisions of which it is my duty to read out.

106. The Conference solemnly reaffirmed that it recognized the legitimacy and just nature of the struggle being waged by the Namibian people by all means at its disposal, including armed struggle, to free themselves from colonial domination, racist oppression and exploitation; it furthermore affirmed that resolution 435 (1978) of the Security Council remained the only basis for a transitional arrangement preparatory to the independence of Namibia; it supported the struggle of SWAPO to achieve national independence in that illegally occupied Territory; it therefore requested member States to increase substantially their support for SWAPO; it strongly condemned the South African régime for its illegal and continued occupation of Namibia and for its repeated acts of aggression against the front-line States; finally, it urged the Security Council to impose wide-ranging and mandatory sanctions against South Africa in accordance with the provisions of Chapter VII of the Charter of the United Nations.

107. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Chile. I invite him to take a place at the Council table and to make his statement.

108. Mr. TRUCCO (Chile) (*interpretation from Spanish*): Mr. President, I could not begin my statement without saying how pleased my delegation felt at seeing the Minister for Foreign Affairs of Zaire among us once again, presiding over meetings of the Council. That our old and esteemed colleague, Mr. Kamanda wa Kamanda, should have temporarily left the tasks requiring his presence in his capital and should have assumed personally the presidency of the Council highlights the seriousness and importance of the problem we are considering and gave proof anew of his remarkable qualities as a responsible and talented leader, once again deserving of our highest respect and admiration.

109. I wish also to congratulate Mrs. Jeane Kirkpatrick, who conducted the proceedings of the Council during the month of April with the intelligence and dedication for which she is so well known.

110. A little more than two years ago the Council resumed its consideration of the question of Namibia, for the purpose of analysing, *inter alia*, the progress made along the path to completing the implementation of Council resolution 435 (1978).

111. Unfortunately, we cannot but recognize that the results have been discouraging. Today the Council is meeting again to take stock of the situation once more and to adopt the measures that may be necessary.

112. When, 17 years ago, the General Assembly adopted resolution 2145 (XXI) on 27 October 1966, finally putting an end to the Mandate over Namibia that the League of Nations had given to South Africa, the United Nations simultaneously assumed full responsibility for leading the Territory swiftly to independence.

113. The creation of the United Nations Council for Namibia the following year by resolution 2248 (S-V) of 19 May 1967 reaffirmed that decision and conferred on that body, of which my country is a member, the task of administering and being the legal representative of Namibia and of co-operating with resolve and seriousness in bringing about the independence of the Territory.

114. Since then, innumerable resolutions of the Security Council and of the General Assembly have reiterated that resolve. In 1971, the International Court of Justice declared that South Africa had no rights over the Territory of South West Africa, thus recognizing what the General Assembly had already decided.[3]

115. We therefore feel it necessary to reiterate what we stated at the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983. Given General Assembly resolution 2145 (XXI), Security Council resolution 264 (1969) and, later, the advisory opinion of the International Court of Justice in 1971, the continued occupation of Namibia by South Africa is illegal and violates the territorial integrity of Namibia.

116. Thus, almost 17 years have gone by since the Mandate of the League of Nations was ended and the United Nations assumed responsibility for Namibia. Neither the General Assembly nor the United Nations Council for Namibia has been able to exercise its full powers.

117. This is therefore an urgent problem. We cannot continue to delay the implementation of resolution 435 (1978) in its entirety without running the serious risk of seeing the situation deteriorate throughout the region and international peace and security seriously endangered. We must consider without further delay and in all seriousness the way in which to lead Namibia to sovereignty as early as possible.

118. My delegation wishes to emphasize in the Security Council that it is essential to intensify support for the principle of the peaceful settlement of disputes and reject the use of force as an arbitrary means of trying to put and end to a dispute. In this regard, we wish to express our firm support for the action taken by the Secretary-General with a view to finding a solution to the problem of Namibia.

119. In his report to the Council, the Secretary-General points out that "progress has been made in securing a large measure of agreement on the modalities to be employed in implementing resolution 435 (1978)" [*S/15776, para. 18*], but with equal candour he warns us that "the delay in implementing resolution 435 (1978) is

having a destructive impact not only on Namibia itself but also on the prospect of a peaceful and prosperous future for the region as a whole." [*Ibid., para. 16.*] He adds that "the delay also has an adverse effect on international relations in a wider sphere, adding to the prevailing sense of frustration and mistrust." [*Ibid.*]

120. We fully share this sombre view of the Secretary-General. We believe today more than ever that the parties involved in the matter, including the Western contact group, bear a paramount responsibility towards the international community. We cannot allow frustration and mistrust to prevail or that today, after so many years, one of the pillars of international coexistence, namely, the peaceful settlement of disputes, should be called into question.

121. My delegation hopes that these meetings of the Council will result in a strengthening of that basic principle. To this end, like others who have spoken before us, we wish to support negotiations by the Secretary-General with all the parties concerned. We firmly believe that, above all else, they must be conducted in good faith so that there may be no further delay in the full implementation of Council resolution 435 (1978), without any extraneous conditions which might weaken or nullify it.

122. Therefore it is essential, in order to make substantial progress in this, to bring about a climate propitious for negotiations.

123. The United Nations bears the responsibility for Namibia and it has assumed this responsibility until independence and the full exercise of self-determination in the Territory are achieved. We all share in that responsibility for the achievement of that objective. We are therefore pleased to note that the Secretary-General has taken a clear and determined stand, for which he has had the gratitude and unanimous praise of the delegations that have taken part in this debate. My delegation joins in that expression of solidarity and support.

124. We welcome with satisfaction the constructive terms of the statements of the representatives of the United States and the United Kingdom, thier reaffirmation of their support for resolution 435 (1978) and their determined efforts to overcome the difficulties which so far have delayed its implementation. We are also encouraged by the assistance that has been offered to ensure the effectiveness of UNTAG. We trust that the United Nations presence and the envisaged presence of forces to guarantee the effectiveness of the decisions adopted by the international community will result in the necessary speedy withdrawal of the foreign troops operating in the region.

125. For the foregoing reasons, my delegation agrees with all the terms of draft resolution S/15803, which will be put to a vote in the Council shortly.

126. The PRESIDENT (*interpretation from French*): The next speaker on the list is the representative of Mauritius, on whom I now call.

127. Mr. MAUDAVE (Mauritius) (*interpretation from French*): Mr. President, I thank you for allowing me to speak again. I think this will be my final statement. This statement will allow me to sum up what has been stated by the 50 or so previous speakers under the headings of analogy, harmony and elegance.

128. First, let us take analogy. Ministers and representatives from the four corners of the earth have given their analyses on specific topics: the illegal occupation of the Territory, border violations, failure to respect human rights, prevarication and the use of false pretexts, the flouting of international opinion, and so on. Some of the statements were so similar that they were practically identical in substance and even in form. The solutions proposed all had the same goals: decolonization, the finalization of the technical details of UNTAG, the ceasefire, the early establishment of a Constituent Assembly, free and democratic elections, and an autonomous and sovereign Government.

129. There was agreement that pressure of some kind must be put on Pretoria to see reason. Some wanted to go further than condemnation and appeals for negotiation, whereas others were convinced that collective action here, supplemented by an indirect approach, as indicated on 23 May, would finally overcome South Africa's reservations. Some who spoke see further than the present situation and propose immediate planning of significant assistance for the development and reconstruction of a free, independent and sovereign Namibia within secure borders. As André Maurois said, there is a great intellectual pleasure in seeing in an analogy the beginning of a law. This law is the following: never oppose the most valuable developments of the century, which are freedom, self-determination, independence and decolonization.

130. However, I should like to utter a word of caution before finishing the analogy. This concerns the contact group. Rather than reaching a final verdict and saying that the consultations have not led to anything, we have agreed that some latitude should be left for indirect pressure. The future actions of the Five must make it clear that, in the balance of priorities, the fate of Herman Toivo languishing in a prison is more important than the wool of the caracul sheep.

131. Secondly, I come to harmony. There has been notable harmony in the tone of the various statements. Whatever part of the world they came from, all the speakers except one have expressed the same feelings of frustration, the same will to put an end to a situation that has lasted for many decades and the same concern regarding a possible escalation of violence, which might engulf the whole of southern Africa. Indeed, the same stress was put on indignation at the introduction of bargaining to prevent the accession of a people to the dignity of freedom. Everybody has spoken with the same fervour on the subject of human rights. The world community has asked the Secretary-General to be the overseer of the task of ensuring the decolonization of a country whose future has been made the direct responsibility of the United Nations.

132. Finally, I would refer to elegance. This comes from moderation of language, a sense of what is real and possible in terms of ideas—qualities which, in general, the principal parties concerned have demonstrated. The approach chosen was above all objective, and well-thought-out and dignified. When obstacles were encountered they did not seek to eliminate them verbally; they made constructive suggestions.

133. The serious attitude that characterized this series of meetings of the Council from the first day, the analogies I have cited and the harmony of tone and emphasis will have made it easier to attain a high plateau in the establishment of international relations, with the primary objective of bringing about moral relations among nations. This high plateau is that of coherence, which requires a precise awareness of the pitfalls and an organized strategy based on what is possible or acceptable.

134. Those who came before the Council to make statements succumbed neither to the logic of naïvety nor to that of confrontation. They were hampered neither by the dilemma of the doves nor by that of "les mains sales". Their aim was quite simply to try patiently, painstakingly to destroy prejudice, arrogance, racism and unrestrained commercialism, and to protest unceasingly against injustice and violence. The United Nations, which is, in a way, the expression of the world's conscience, must translate the lofty aspirations expressed in the Council into deeds at Windhoek.

135. Elegance also forbids us polemics. That is why it was decided, after consideration and reflection, not to indulge in invective or threats such as the Council heard on the morning of Tuesday, 24 May, from the one speaker who took a place at this table and made use of the language of belligerency. We decided to leave that speaker in his solitude. A concern for precision, however, obliges us to note one statement he made. He said:

> ". . . nor has the International Court of Justice ever delivered a binding judgement to the effect that South Africa's right to administer the Territory has been terminated".* [*2440th meeting, para. 71.*]

136. I have before me the text of the advisory opinion of 21 June 1971 of the International Court of Justice, which states in paragraphs 115, 117 and 118:*

> ". . . The decisions [of the Security Council] are consequently binding on all States Members of the United Nations, which are thus under obligation to accept and carry them out.
>
> ". . .
>
> ". . . A binding determination made by a competent organ of the United Nations to the effect that a situation is illegal cannot remain without consequence. Once the Court is faced with such a situation, it would be failing in the discharge of its judicial functions if it did not declare that there is an obligation, especially upon Members of the United Nations, to bring that situation to an end. . . .
>
> "South Africa, being responsible for having created and maintained a situation which the Court has found to have been validly declared illegal, has the obligation to put an end to it. It is therefore under obligation to withdraw its administration from the Territory of Namibia."[3]

137. This is not the place to give an exposition on the highest authority in jurisprudence. We are here to establish the ethical principles of international relations and, in order to enforce them, to strengthen the authority of the United Nations and the powers of its Secretary-General. It would not have been right, therefore, to allow the shyster lawyer to get away with his attempt on 24 May to blunt the impact of the opinion and the advice of our highest tribunal.

138. We seek finally to establish a climate of trust in which the situation can develop. Creative interpretation of statements even allows us to find some positive elements in that statement of 24 May. Mention was made therein of a desire for peaceful coexistence with neighbouring countries, of an invitation to conclude non-aggression treaties and to discuss problems of common interest, and even of "respect for the rights of all peoples to self-determination" [*ibid., para. 102*]. When we re-read this statement carefully, we note, among all the confident language—three important elements: a certain weariness; the feeling that something must be done urgently; and, finally, fear. "No winner will emerge from such a conflict situation" [*ibid., para. 100*], he said, quoting his Minister for Foreign Affairs. Does this not mean that he admits that superiority in military equipment will not end the claims? Is it not also to confirm the arguments of Bishop Desmond Tutu and those of the leader of the opposition in the Pretoria Parliament, Mr. Van Zyl, last Monday, 23 May? Regarding the Secretary-General's report, it has been said that its more constructive tone has not gone unnoticed. It amounts almost to an invitation to board an aeroplane bound for Pretoria.

139. If I had to sum up in one word the atmosphere in which the Council has met, I should choose the word "gravity", in the Latin sense of *gravitas*, which also implies dignity, thoughtfulness, sobriety. Some speakers even took on the appearance of Roman senators superbly clad in their togas to deal calmly and without haste with the item on the Council's agenda, conscious that they had an international audience, but above all solemnly concerned with writing a new chapter in the history of southern Africa.

140. Africans have shown here that they have in common with the Romans of the days before the Punic wars a sense of ceremony, of ritual, a sense which enables them to bridge the gap between the aspiration to the ideal and the practical needs of everyday life.

* Quoted in English by the speaker.

141. These various statements suggest that if we were to connect up our different weak sources of power sufficient energy would be generated to light a beacon which would herald at long last the emergence of a free Namibia.

142. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/15803, which contains the text of a draft resolution prepared in the course of consultations among members of the Council.

143. It is my understanding that the Council is ready to vote on that draft resolution. Accordingly, if there is no objection, we shall now proceed to vote.

A vote was taken by show of hands.

The draft resolution was adopted unanimously, [resolution 532 (1983)].

144. The PRESIDENT (*interpretation from French*): I call on the representative of the United Kingdom, who wishes to make a statement.

145. Sir John THOMSON (United Kingdom): Mr. President, before I say a few words in explanation of the vote I have just cast, I should like to express my delegation's appreciation to you and to your Minister for Foreign Affairs for the skill with which you have handled this debate. Namibia is a subject on which feelings understandably run high. Nevertheless, this debate has been conducted in a notably constructive and decorous manner and for that much of the credit must go to you.

146. I should also like to pay a tribute to the Minister for Foreign Affairs of the front-line States for coming to New York to participate in our proceedings, for the leadership they have shown and for the effective and statesmanlike way in which they have laid this subject before the Council. Our thanks are due likewise to the other ministers for foreign affairs who have participated.

147. At the outset of this debate I expressed the hope that the Council would hold a constructive, not a confrontational, debate and that it would formulate a resolution that would reinforce the negotiating process. The Council has achieved what I hoped and has passed a resolution for which the United Kingdom voted with pleasure.

148. I should like to record two points of detail which affect my delegation. With regard to the third preambular paragraph of the resolution, I state that the United Kingdom's attitude to the resolutions listed therein, including resolutions 301 (1971) and 439 (1978) on which the United Kingdom abstained, remains unchanged. Secondly, the resolution takes note of the results of the International Conference in Support of the Struggle of the Namibian People for Independence, held in Paris from 25 to 29 April 1983. My Government was represented at the Conference, has taken note of its outcome, but was not a party to its decisions. Together with other members of the contact group, the United Kingdom informed the Secretary-General before the Conference opened that we would not participate in any decisions which the Conference might take, in the light of our special responsibilities as a member of the contact group.

149. The resolution expresses the urgent desire of all members of this Council—a desire shared widely throughout the United Nations, as the debate has shown—to bring about the rapid implementation of the United Nations settlement plan for Namibia under Council resolution 435 (1978). It is incumbent upon us all to give the Secretary-General all possible assistance in the further consultations we have asked him to conduct. It goes without saying that the United Kingdom stands ready to do so.

The meeting rose at 1.35 p.m.

NOTES

[1] See *Report of the International Conference in Support of the Struggle of the Namibian People for Independence, Paris, 25-29 April 1983* (A/CONF.120/13).

[2] *Ibid.*, part three.

[3] *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970), Advisory Opinion, I.C.J. Reports 1971*, p. 16.

كيفية الحصول على منشورات الأمم المتحدة

يمكن الحصول على منشورات الأمم المتحدة من المكتبات ودور التوزيع في جميع أنحاء العالم. استعلم عنها من المكتبة التي تتعامل معها أو اكتب إلى: الأمم المتحدة، قسم البيع في نيويورك أو في جنيف.

如何购取联合国出版物

联合国出版物在全世界各地的书店和经售处均有发售。请向书店询问或写信到纽约或日内瓦的联合国销售组。

HOW TO OBTAIN UNITED NATIONS PUBLICATIONS

United Nations publications may be obtained from bookstores and distributors throughout the world. Consult your bookstore or write to: United Nations, Sales Section, New York or Geneva.

COMMENT SE PROCURER LES PUBLICATIONS DES NATIONS UNIES

Les publications des Nations Unies sont en vente dans les librairies et les agences dépositaires du monde entier. Informez-vous auprès de votre libraire ou adressez-vous à : Nations Unies, Section des ventes, New York ou Genève.

КАК ПОЛУЧИТЬ ИЗДАНИЯ ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ

Издания Организации Объединенных Наций можно купить в книжных магазинах и агентствах во всех районах мира. Наводите справки об изданиях в вашем книжном магазине или пишите по адресу: Организация Объединенных Наций, Секция по продаже изданий, Нью-Йорк или Женева.

COMO CONSEGUIR PUBLICACIONES DE LAS NACIONES UNIDAS

Las publicaciones de las Naciones Unidas están en venta en librerías y casas distribuidoras en todas partes del mundo. Consulte a su librero o diríjase a: Naciones Unidas, Sección de Ventas, Nueva York o Ginebra.

Litho in United Nations, New York 00400 90-60205—June 1991—2,050